

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

FILED: AUGUST 07, 2008

08CV4475

CASE NO.: JUDGE MAROVICH

MAGISTRATE JUDGE DENLOW

JUDGE: DAJ

**COMPLAINT FOR DAMAGES  
UNDER THE FAIR DEBT COLLECTION  
PRACTICES ACT, INVASION OF  
PRIVACY AND OTHER EQUITABLE  
RELIEF**

**JURY DEMAND ENDORSED HEREIN**

Connie Bolanos  
2707 S. Central Park  
Chicago, IL 60623

Plaintiff,

v.

Mercantile Adjustment Bureau, LLC  
c/o National Registered Agents, Inc,  
Registered Agent  
200 W Adams St  
Chicago, IL 60606

Defendant.

**JURISDICTION AND VENUE**

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692 and under the doctrine of Supplemental Jurisdiction pursuant to 28 U.S.C. §1337(a). Venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

**FACTS COMMON TO ALL COUNTS**

2. Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).
3. Plaintiff incurred a “debt” as defined by 15 U.S.C. §1692a(5).
4. Defendant is either the holder of the debt or was retained by the current holder to collect the debt.
5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).
6. Plaintiff filed this claim within the timeframe permitted under the FDCPA.

7. On or around April 6, 2008, Defendant telephoned Plaintiff's residence and spoke to Plaintiff's mother ("Mother").
8. During this communication, Mother informed Defendant that Plaintiff was not currently at home and told Defendant that Plaintiff would telephone Defendant when Plaintiff was available.
9. Throughout this communication, Defendant spoke to mother in an abusive manner.
10. During this communication, Defendant stated that Defendant knew Plaintiff was home and demanded that Mother put Plaintiff on the phone.
11. During this communication, Defendant threatened to keep calling until Plaintiff answered the telephone.
12. Shortly after the communication referenced above, Defendant began to telephone Plaintiff's residence on numerous occasions throughout the rest of the day with the intent to annoy and harass Mother and/or Plaintiff.
13. On or around April 6, 2008, shortly after Plaintiff returned home, Defendant telephoned Plaintiff's residence and Plaintiff answered the telephone.
14. Throughout this communication, Defendant repeatedly interrupted Plaintiff and spoke to Plaintiff in an abusive manner.
15. During this communication, Defendant threatened to seize Plaintiff's car and garnish Plaintiff's wages unless Plaintiff satisfied the debt.
16. As a result of Defendant's demeanor, Plaintiff terminated the above referenced communication.
17. Immediately after the communication referenced in paragraph 16, Defendant began to telephone Plaintiff's residence repeatedly with the intent to annoy and harass Plaintiff.

18. Defendant damaged Plaintiff emotionally and mentally and has caused substantial anxiety and stress.

19. Defendant violated the FDCPA.

**COUNT ONE**

**Violation of the Fair Debt Collection Practices Act**

20. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

21. Defendant violated 15 U.S.C. §1692c in that it communicated with a third party and failed to comply with 15 U.S.C. §1692b.

**COUNT TWO**

**Violation of the Fair Debt Collection Practices Act**

22. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

23. Defendant violated 15 U.S.C. §1692d in that Defendant used obscene and/or abusive language during its communications in connection with the collection of the debt.

**COUNT THREE**

**Violation of the Fair Debt Collection Practices Act**

24. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

25. Defendant violated 15 U.S.C. §1692d in that Defendant repeatedly or continuously telephoned Plaintiff and/or another person with the intent to annoy, abuse, and/or harass that person.

**COUNT FOUR**

**Violation of the Fair Debt Collection Practices Act**

26. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

27. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect the debt.

**JURY DEMAND**

28. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

29. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages pursuant to 15 U.S.C. §1692k and costs, and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

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